

Steven F. Alder (0033)  
Kassidy J. Wallin (14360)  
Assistant Attorneys General  
SEAN D. REYES (7969)  
UTAH ATTORNEY GENERAL  
1594 West North Temple, Suite 300  
Salt Lake City, Utah 84116  
Telephone: (801) 538-7227  
*Attorneys for the Division of Oil, Gas, and Mining*

**FILED**

**MAY 27 2014**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

In the Matter of the Petition by the  
Division of Oil, Gas and Mining for an  
Order:

- (1) Forfeiting to the Division  
Homeland's bond associated with  
the Brown 3-2 well;
- (2) Authorizing the Division to  
complete plugging and reclamation  
of the Brown 3-2 well and the lands  
affected by the well;
- (3) Authorizing the Division to take  
other action necessary to recover  
from Homeland any and all costs  
associated with the plugging and  
reclamation of the Brown 3-2 well;  
and
- (4) Ordering Homeland to establish  
new bond coverage for its  
remaining wells in the State of  
Utah.

**MOTION TO WITHDRAW NOTICE  
OF AGENCY ACTION**

Docket No.: 2013-026  
Cause No.: 131-134

The Utah Division of Oil, Gas and Mining (the "Division"), by and through its undersigned counsel, hereby respectfully moves the Utah Board of Oil, Gas and Mining (the "Board") to withdraw the Notice of Agency Action filed on August 12, 2013. This Motion is filed based upon an understanding between Homeland and the Division that Homeland will complete the necessary well site restoration and surface reclamation within 30 days.

In support of its Motion, the Division represents that the Brown 3-2 Well (the "Well") has been plugged according to the Division's satisfaction and in the manner outlined in the Sundry Notice approved by the Division April 7, 2014. Homeland understands that well site restoration and surface reclamation still needs to be completed. *See* Utah Admin. Code R649-3-34. As part of completing the well site restoration and surface reclamation, Homeland may need to enter into an agreement with the surface owner to determine what surface work still needs to be done, including whether the existing cement pad will be removed. *Id.* Homeland has agreed, in conversations between Dustin Doucet of the Division and Craig S. Phillips of Homeland, to complete all the necessary steps for well site restoration and surface reclamation within the next 30 days.

Based on this understanding, the Division now respectfully requests that the Board order this matter be withdrawn.

Respectfully submitted this 27th day of May 2014.

UTAH ATTORNEY GENERAL'S OFFICE



Digitally signed by Cassidy J. Wallin  
DN: cn=Cassidy J. Wallin, o=Utah  
Attorney General's Office, ou=Natural  
Resources Division,  
email=kassidywallin@utah.gov, c=US  
Date: 2014.05.27 13:43:44 -06'00'

Steven F. Alder (0033)  
Cassidy J. Wallin (14360)  
Assistant Attorneys General  
1594 West North Temple, Suite 300  
Salt Lake City, Utah 84116  
Telephone: (801) 538-7227  
*Attorneys for the Division of Oil, Gas, and Mining*


**CERTIFICATE OF MAILING**

I hereby certify that I caused a true and correct copy of the forgoing MOTION TO WITHDRAW NOTICE OF AGENCY ACTION to be personally served or mailed first class mail, postage prepaid, the 27<sup>th</sup> day of May 2014, to:

**HOMELAND GAS AND OIL, INC.**  
C/O CRAIG PHILLIPS  
P.O. BOX 1776  
ROOSEVELT, UTAH 84066

**ACSTAR INSURANCE COMPANY**  
P.O. BOX 2350  
233 MAIN STREET  
NEW BRITAIN, CONNECTICUT 06050

**MIKE JOHNSON**  
ASSISTANT ATTORNEY GENERAL  
DEPARTMENT OF NATURAL RESOURCES  
BOARD OF OIL, GAS & MINING  
1594 WEST NORTH TEMPLE, SUITE #300  
SALT LAKE CITY, UTAH 84114

  
\_\_\_\_\_

---

**BEFORE THE BOARD OF OIL, GAS & MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

---

In the Matter of the Petition by the Division of  
Oil, Gas and Mining for an Order:

- (1) Forfeiting to the Division Homeland's  
bond associated with the Brown 3-2  
well;
- (2) Authorizing the Division to complete  
plugging and reclamation of the Brown  
3-2 well and the lands affected by the  
well;
- (3) Authorizing the Division to take other  
action necessary to recover from  
Homeland any and all costs associated  
with the plugging and reclamation of  
the Brown 3-2 well; and
- (4) Ordering Homeland to establish new  
bond coverage for its remaining wells  
in the State of Utah.

**ORDER GRANTING MOTION TO  
WITHDRAW NOTICE OF AGENCY  
ACTION**

Docket No.: 2013-026  
Cause No.: 131-134

Having reviewed the Motion to Withdraw Notice of Agency Action in the above-captioned Matter, and for good cause appearing therefore, the Utah Board of Oil, Gas, and Mining, hereby orders that this matter be withdrawn.

DATED this \_\_\_\_ day of May 2014.

---

Ruland J. Gill, Jr.  
Chairman  
Utah Board of Oil, Gas and Mining